

TITLE 11

DEPARTMENT OF HEALTH

CHAPTER 18

LICENSING OF SANITARIANS

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Historical Note: Chapter 18 of Title 11, Administrative Rules, is based substantially on Public Health Regulations, Chapter 32, Licensing of Sanitarians, Department of Health, State of Hawaii. [Eff. 11/14/59; am 2/10/79; R **SEP 18 1981**]

§11-18-1 Purpose. The purpose of this chapter is to ensure no person shall practice as a registered sanitarian in the State or offer the person's services or engage in employment as a registered sanitarian unless the person is the holder of a current license as provided in this chapter. It is the intent of the director of health that these regulations shall apply to persons engaged in the professional application of the principles of sanitary science and not to persons engaged in industrial sanitary maintenance or similar operations or to the supervisors of those persons. [Eff. **SEP 18 1991**]
(Auth: HRS §§321-10, 321-3-3) Imp: HRS §§321-13, 321-14)

§11-18-2 Definitions. As used in this chapter:
"Department" means the department of health, State of Hawaii.

"Director" means the director of health of the State of Hawaii, or his duly authorized representative.

"Registered sanitarian" means a person who meets the requirements of education, training or experience in sanitary science, is licensed in the State, and who may be engaged in the promotion and protection of the public health by applying technical knowledge to formulate and execute methods and procedures to control

those factors of the environment which influences the health, safety and welfare of the public. [Eff. **SEP 18 1981**]

(Auth: HRS §§321-10, 321-3-3) (Imp: HRS §321-13)

§11-18-3 Application for examination. In applying for examination, the applicant shall present to the department the applicant's qualifications, together with the application, the examination fee of \$10, the cost of obtaining the examination material, and shall take an examination administered by the department. If an applicant's qualifications and the result of the examination are accepted as satisfactory by the director, the director shall issue the applicant a license to practice as a registered sanitarian in the State. [Eff. **SEP 18 1981**]

(Auth: HRS §§ 321-10, 321-13) (Imp: HRS §§321-13, 321-14)

§11-18-4 Eligibility for registration and examinations. A person aspiring to become a registered sanitarian in the State shall furnish satisfactory proof to the department that the applicant holds a bachelor's degree from a college or university accredited by the American Association of Collegiate Registrars and Admissions Offices with a major in a biological or physical science, or with a bachelor's degree in sanitary science. [Eff. SEP 18 1981] (Auth: HRS §§321-10, 321-13) (Imp: HRS §§321-13, 321-14)

§11-18-5 Exceptions. The licensing of sanitarians by any state which uses the National Examination for the Registration of Sanitarians given by the Professional Examination Service shall be recognized as valid and the applicant may be licensed if, in the judgment of the director, the applicant meets the eligibility requirements of this chapter. [Eff: **SEP 18 1981**] (Auth: HRS §§321-10, 321-13) (Imp: 321-13, 321-14)

§11-18-6 Renewals. Licenses must be renewed annually. Each registered sanitarian shall re-register with the department by January 31 of each year and shall pay a re-registration fee of \$3. Any registered sanitarian who fails, neglects, or refuses to re-register or to pay the re-registration fee shall, following thirty days of delinquency, have the license revoked. However, within a year's time, the license shall be restored upon a written application and payment of all delinquent fees and a penalty equal to \$10.

If the elapsed time is over one year, the person must reapply and successfully pass the examination for licensing.

[Eff: **SEP 18 1981**] (Auth: HRS §§321-10, 321-13)

(Imp: HRS §§321-13, 321-15)

§11-18-7 Restrictions. It shall be unlawful for any person to be called a registered sanitarian and to perform, any duties that come within the scope of the definition of a registered sanitarian for any department, board, commission or other agency of the State or of any county or municipal governing body or industry unless the person is a registered sanitarian in accordance with the provisions of this chapter. [Eff. **SEP 18 1981**] (Auth: HRS §§321-10, 321-13) (Imp: HRS §321-13)

§11-18-8 Denial, suspension, or revocation. The director may deny, suspend or revoke any license for one or more of the following reasons:

- (1) Professional misconduct; or
- (2) Procurement of license by fraud or misrepresentation;
or
- (3) To take an examination in place of another applicant for purposes of obtaining a license; or
- (4) As provided for in Section 831-3.1, HRS; or
- (5) Any other reason the director determines is detrimental to the performance of duties. [Eff. **SEP 18 1981**] (Auth: HRS §§321-10, 321-13)
(Imp: HRS §321-13)

§11-18-9 Penalties. Any person who violates the provisions of this chapter shall be subject to the penalties of Section 321-18, Hawaii Revised Statutes. [Eff. **SEP 18 1981**] (Auth: HRS §§321-10, 321-13) (Imp: HRS §§321-13, 321-18)

§11-18-10 Severability. If any section, paragraph or clause of this chapter or the application thereof to any set of facts shall be held invalid or ineffective by the courts for any reasons, the remainder shall not be affected by such holding but shall remain in full force and effect. [Eff. **SEP 18 1981**] (Auth: HRS §§321-10, 321-13) (Imp: HRS-§321-13)

The Department of Health authorized the repeal of Chapter 32, Public Health Regulations and the adoption of Chapter 18 of Title 11, Administrative Rules on **AUG 27 1981** following public hearing held on Maui on July 13, 1981, on Hawaii on July 14, 1981, on Oahu on July 15, 1981, on Kauai on July 20, 1981 after public notice was given in the Maui News on June 22, 1981, in the Hawaii Tribune-Herald on June 22, 1981, in the Honolulu Star-Bulletin on June 22, 1981, and in the Garden Isle on June 22, 1981.

Chapter 18 of Title 11, Administrative Rules shall take effect ten days after filing with the Office of the Lieutenant Governor.

GEORGE YUEN
Director
Department of Health

APPROVED:

GEORGE R. ARIYOSHI
GOVERNOR
STATE OF HAWAII

Dated: 9-3-81

APPROVED AS TO FORM:

Deputy Attorney General

Filed: September 8, 1981

Effective Date: **SEP 18 1981**